

Two RHD roads

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action. ACC Director General (Admin) Col Hanif Iqbal said refusing to disclose the names of people responsible for the sake of ongoing investigation.

The actual loss of money and misappropriation of money can be confirmed once the investigation is complete. This is a primary report, Hanif added.

BONPARA-HATIRKUMRULROAD
The road was constructed with the financial help of World Bank between December 1, 1998 and December 31, 2002. The road was constructed in four phases.

The investigation revealed that most irregularities and corruption took place during the second phase of construction—25km of road (from the fourth km to 29km) by one construction firm and 14km (from 29th km to 43rd km) by another firm.

The ACC said the 39km of road, in phase-2, was constructed using 4.77 percent asphalt concrete bitumen ignoring the specification of using 5.70 percent. The contractors in collaboration with R&H employees used one percent bitumen less.

The contractors also used local soil for road construction instead of using sand which is dredged up for this purpose. The contractors also submitted bills showing that they used the best quality soil, where soil is required for construction, even though they used the lowest quality.

DHAKA BYPASS
The bypass was constructed in Gazipur, Dhaka and Narayanganj between 1997 and 2006 to ease traffic congestion in the capital. The road was constructed so that vehicles heading to the northern part of the country from Chittagong, and vice versa, could bypass Dhaka via Narayanganj, Ruppaganj and Gazipur.

The road started developing potholes soon after it was constructed and at a stage became unusable.

The investigation revealed that public procurement regulations were not followed in constructing the road. The probe also found that a total of 429 contractors were used only for completing the soil-related work and another 97 contractors paving the road.

The contractors also used sub-standard materials and violated

construction specifications. **SPOUSES OF 8 RHD OFFICIALS TO BE ASKED TO REVEAL WEALTH**
The Anti-Corruption Commission (ACC) has approved issuance of notices on the spouses of eight Roads & Highways Department (RHD) officials asking them to submit wealth statements to the commission.

The anti-graft watchdog, meantime, has approved four proposed charge sheets against five people accused of misappropriating money and taking bribes and has given the nod to two final reports.

ACC Director General (Admin) Col Hanif Iqbal disclosed the commission's decision at a press briefing yesterday.

The spouses of the R&H officials who would be asked to report their wealth are Saleha Banu, wife of additional chief engineer Shahabuddin, GS Raihan, wife of former additional chief engineer Adam Ali Gazi, Rahena Rahman and Samaituha Mariam, wives of superintendent engineers Arifur Rahman Zinnah and MA Moktadir Belal, Hosne Ara Haque, Afzala Hossain and Razia Sultana, wives of executive engineers Sanaul Haque, Khandaker Golam Mostafa and Georgis Hossain, and Selina Haque, wife of deputy assistant engineer Nurul Haque.

The ACC has approved charge sheets against Shaban Ali, auditor at upazila accounts office in Natore's Gurudashpur upazila, Hamidul Haque Tdkder, food inspector at upazila food controller's office in Jaldhaka upazila of Nilphamari, and Mojibur Rahman, upazila project implementation officer in Baliadangi upazila of Thakurgaon. They were accused of taking Tk 1,500, Tk 1050, and Tk 5,000 in bribe.

Another two officials, including former family planning officer in Bogra Khadiza Khanam, would be charged with misappropriating Tk 3,79,500 and destroying evidence of the crime.

The ACC approved two final reports exonerating Court Sub-Inspector Ali Hossain from misappropriation of liquor and Solaiman Ghani, a union parishad chairman in Lalmonirhat, from misappropriation of seven bundles of CIS sheets.

CHAPAINAWABGANJ Tension still runs high in frontier village

A CORRESPONDENT, Chnawabganj

Tension still runs high at Pirojpur village in Chapainawabganj after Bangladesh Rifles (BDR) and Indian Border Security Force (BSF) exchanged gunfire on Wednesday morning.

Local people said they are passing their days anxiously fearing further clashes between the two sides.

However, Operation Officer of 39 Rifles Battalion in Chapainawabganj Maj Syed Abu Hasan claimed that the situation at the border is quite normal and no untoward incident has occurred there.

Export and import through the Sonamajid land port resumed yesterday.

Deputy Manager of Sonamajid-Panama Port Link Ltd Belal Hossain said export and import activities through the port were normal yesterday.

The IGP said, "The upcoming elections have more importance as it is the first election run by this caretaker government. We would ensure security so that people can reach the polling centres, cast their votes and return safely."

The IGP also said of the total 728 polling centres in four city corporations and nine municipalities, they identified 434 as vulnerable to violence.

According to him, 369 polling centres of 587 in the four city corporations are vulnerable to violence and 65 polling centres of 141 in nine municipalities are vulnerable to violence.

In reply to a query, the IGP said they identified the polling centres as vulnerable to violence by analysing the history of the centres and considering the geographic location of the polling centres.

The IGP earlier had a meeting with senior police officials to discuss security measures to be taken on the eve of the city corporation and municipality polls.

On August 4, elections would be held in Khulna, Rajshahi, Barisal and Sylhet city corporations and Manikganj municipality of Manikganj, Sripur municipality of Gazipur, Phulbaria municipality of Mymensingh, Shariatpur municipality of Shariatpur, Sitakunda municipality of Chittagong, Naohata municipality of Rajshahi, Dupchanchia municipality of Bogra, Chuadanga municipality of Chuadanga and Golapganj municipality of Sylhet.

Saarc accord

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Information and Broadcasting Minister PR Damsuni told reporters here.

The Cabinet also gave its nod for signing an agreement for setting up the South Asia Regional Standards Organisation (SARSO) during the Summit.

The proposal, mooted by India, is expected to enhance the level of economic engagement with the Saarc countries by envisaging regional cooperation on standards and quality control.

The pact will also promote trade, besides development of quality infrastructure to the entire region, he said.

Food import

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chit, saying that under the clause 85 of the PPR 2008 the ministry could import food to meet emergencies without going through tender process.

The committee also decided to pre-empt the resumption of operation of Chittagong Chemical Mills Ltd, North Bengal Paper Mills Ltd and Khulna Newsprint Mills Ltd after getting back the three industrial units from the Privatisation Commission.

MARKET MONITORING
The army-led joint forces, Rab, BDR, police and civil administration will keep watch on markets during Ramadan, so that the traders cannot make large profits by charging high prices for goods.

The decision was taken in a meeting of an inter-ministerial monitoring committee at the commerce ministry yesterday.

Chaired by Additional Secretary of the ministry Golam Mostakim, the meeting reviewed the import, supply, stock and overall price situation of essentials.

The meeting urged TCB, BDR and Food Department to take all-out steps so that the supply of essentials is not disrupted during Ramadan.

It asked the state-run TCB (Trading Corporation of Bangladesh) to complete the import of 3000 tonnes of pulses, 3000 tonnes of edible oil and 500 tonnes of onion before Ramadan.

4-lane Dhaka-Ctg

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Board of Revenue (NBR). Amid a chaotic political situation, a tender for making the 190-kilometre highway (Daudkandi-Chittagong) was floated first in September 2006 after a lengthy discussion during the tenure of BNP-led coalition government.

The present caretaker government scrapped it in April 2007 for reasons still unknown. Sensing the urgency of a wider highway, they floated a fresh tender in March this year only to cancel it on July 7 on grounds of the PPR violation.

The communications secretary however skirted a question whether he would take any actions against RHD and the PD for the "violation".

Sources in communications and RHD say the then chief engineer Ashraf Islam formally asked the ministry on March 10 to issue an invitation for tender to the pre-qualified bidders as there was no objection about the tender by any quarters.

The tender has earlier been evaluated by the tender evaluation committee. None of the 10 pre-qualified bidders raised any complaints in the pre-bidding meeting or before closing of the bid.

"There were also opinions of the communications ministry as well as the law ministry and NBR incorporated in the tender documents," said an official, who was involved in the project.

On June 23, Communications Ministry Deputy Secretary Abul Khayer wrote to the Central Procurement and Technical Committee (CPTU) asking them for specific comments on time span of submission of performance guarantee.

In its reply on July 6, CPTU said changes and modifications can be made if it is not inconsistent with

the related acts and regulations. The ministry cancelled the whole tender process the next day without referring to the CPTU comments.

Director General of CPTU Amulya Kanti Devnath told The Daily Star they did not give any specific opinions on the issue and left the matter to the ministry.

In an abrupt move, the deputy secretary issued a letter cancelling the tender and faxed it to the chief engineer in the afternoon on July 7. The hasty move raises questions about the ministry's intension and transparency in the process.

Referring to the Public Procurement Act, 2006 and the Public Procurement Regulation, 2008, the then PD wrote to the chief engineer on July 10 saying the cabinet committee on government purchase is the lone authority to take decision on the recommendations of the evaluation committee in a development project.

The PD, who was transferred on July 10, also urged the ministry to review the decision considering importance of the project, its immediate implementation and the skyrocketing cost of construction materials. He said all the bidders quoted less than that of the government's estimated budget for the project.

Development of the highway might be delayed by years as some of the pre-qualified bidders on Sunday filed writs with the High Court challenging the ministry's authority to cancel the bid.

The country's busiest highway linking the port city and the capital has become a death trap due to its narrowness and the rise in vehicles over the years.

Officials emphasised immediate expansion of the road under the project to be implemented with the Japan debt cancellation fund.

Court raps cops

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of different police stations, who had been asked to return reports on arrest warrants to the court by yesterday, did not comply with the court order.

The court also said the police submitted the charge sheet of the case after four years of the grenade attacks and have been trying to delay trial.

Only Barisal Kotwali police submitted a report on the arrest warrant against Abu Bakar alias Hafez Selim mentioning that they could not arrest him.

Meantime, the same court rejected the bail petitions of detained former deputy minister Abdus Salam Pintu and three Hujji members, Arif Hasan Sumon, Jahangir Alam and Shahadatullah Jewel.

Huji Chief Mufti Abdul Hannan and Sumon submitted petitions for retraction of their confessional statements saying that they were forced to give the statements.

The court fixed August 10 for next hearing of the case and directed the OC of different police stations to submit reports on arrest warrants against the seven absconding accused on the scheduled date.

The prosecution told the judge that they would try to make sure that police submit the reports in due time.

Moving the bail petitions, the lawyers told the court that their clients were implicated in the case as part of a conspiracy to harass them.

The prosecution said the petitions should be rejected as they had earlier confessed to their involvement in the incident.

The case was filed for carrying out grenade attacks on an Awami League (AL) rally on August 21, 2004 that left 23 people dead and around 200 injured.

Detained former lawmaker Pintu and other accused, who are in jail custody now, were produced before the court.

The seven absconding accused are Pintu's brothers Maulana Tajuddin and Maulana Liton, Anisul Mursalin and his brother Mahibul Muttakin, Iqbal, Jahangir Alam Badar and Khalilur Rahman.

Zia Orphanage

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arrested him and handed him over to the police.

"During interrogation, he admitted his involvement in the scam," Rashid said, adding, "We already got the information required and if necessary we would later seek him if he placed on remand."

Rashid said Tk 2.10 crore was withdrawn from his account in March last year.

Rama police said the ACC team handed Sharifuddin Ahmed over to them around 5:30pm.

According to sources, Sharifuddin Ahmed, a resident of Moghbazar, Dhaka, is a businessman close to former BNP lawmaker Kazi Salimul Haque, now on the run.

ACC sources said among the four other accused in the case former MP Kazi Salimul Haque, Syed Ahmed and Gias Uddin Ahmed are in the USA while Khaleda's nephew Mominur Rahman could not be traced.

According to the case, the accused embezzled Tk 2.10 crore by establishing Zia Orphanage Trust which only existed on paper.

The complainant alleged that on June 9 in 1991, a grant of the amount of \$1,255,000, equivalent to about Tk 4.45 crore at the time, was transferred from United Saudi Commercial Bank to Prime Minister's Orphanage Fund—a fund that was created by then premier Khaleda shortly before the transfer of the grant as part of the embezzlement scheme. Only Khaleda administered the fund.

On September 5, 1993, Khaleda, still the prime minister, issued a Tk 2.33 crore cheque from the Prime Minister's Orphanage Fund to the so-called Zia Orphanage Trust on the pretext of building an orphanage in Bogra.

On November 15 the same year, the cheque was deposited into Zia

Orphanage Trust account maintained with Sonali Bank's New North Circle Branch at Gulshan in the capital.

Later, Tk 4 lakh was withdrawn from the trust account and Tk 2.77 lakh of it was spent to purchase 2.79 acres of land at Gabtoli in Bogra under the name of Zia Orphanage Trust.

In the following 13 years, between 1993 and April 2006, there was no activity of the trust and the amount saved in the account of the trust grew to Tk 3.37 crore with accrued interest.

In April, June and July of 2006, Khaleda's son Tarique Rahman, also the chairman of the Zia Orphanage Trust, transferred Tk 3.3 crore from the trust account in six cheques to an FDR (fixed deposit receipt) account opened by his relative Mominur Rahman with Gulshan branch of Prime Bank.

By February 7, 2007, most of the Tk 3.3 crore was again distributed into new FDR accounts opened with Prime Bank's New Eskaton branch at Rama under the names of Kazi Salimul Haque, Syed Ahmed, Gias Uddin Ahmed and Sharifuddin Ahmed.

Finally, on February 15, 2007, Tk 2.10 crore was embezzled by withdrawing it through pay orders from two of the FDR accounts, the case statements said.

DCC stops

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order to improve drainage system in the areas, adding that they would now look for alternative ways.

"If we fail to find any alternatives, then we'll conduct a technical feasibility study and seek advice from environmentalists before taking any decision on cutting down the trees," he said.

Contempt of court

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public servants accused of violating the law are excused from appearing before courts and allowed to present their statements through lawyers.

"This is against article 27 of the constitution that says all citizens are equal before law. The court will determine whether a person accused will have to appear before it," it added.

The ordinance allows the press to report and comment on "normal" court proceedings and functions, or anyone to seek disciplinary proceedings against a judge as long as they are done in "good faith" and through "restrained language".

It also provides for a judge's personal conduct to be reported. It says a judgment too can be criticised as long as it is "constructive".

Referring to those provisions, the court said criticising judgments or orders of the courts with appeals against those pending at higher courts is very risky. Even if the criticisms are justified, those are against justice. Justice seekers cannot get justice from judges fearful of criticisms. Criticisms never facilitate dispensation of justice.

It added that honour of the judges should be preserved even after their retirement. "Their dignity stands for the dignity of the entire judiciary. So disrespect to them is disrespect to the judiciary."

SC lawyers Shamsul Huq and Tajul Islam filed the writ petition as a public interest litigation on June 8.

The same day an HC bench comprising Justice Syed Mahmud Hossain and Justice Farid Ahmed issued a rule asking the government to explain why some provisions of the Contempt of Court Ordinance 2008 including the ones that allow complaining about a judge and criticising judgments should not be adjudged ultra vires (without authority) of the constitution and void.

Then on July 6, during hearing on a contempt rule against 18 journalists of the weekly Shirsho Kagoj, the

BDR, BSF

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Brig Gen Bari said he handed over to the BSF a list of 1,497 Bangladeshi miscreants operating from India and a list of 1,761 Indian smugglers, criminals, robbers and rustlers.

He said he also handed in a list containing the details of five anti-Bangladesh organisations active in India.

He, however, stopped short of saying if detained Ufa leader Anup Chetia would be handed over to India.

"It was discussed during the ministry-level talks between the two countries in Delhi," he said.

BSF IG Murlidhar said he handed over a list of 482 Bangladeshi smugglers, rustlers, human traffickers and another list of 200 Bangladeshi criminals involved in trafficking women and children into India.

They described the deaths of two BDR soldiers on July 17 and one Indian border guard on Wednesday as "isolated" incidents, with Murlidhar saying that BSF had ordered a probe into the July 17 incident.

bench of Justice ABM Khairul Haque and Justice Md Abu Tariq issued the suo moto (on its own motion) rule on the government, asking it to explain within a week why the contempt of court ordinance should not be ruled unconstitutional.

Yesterday the HC heard both the rules before passing the verdict.

Earlier, it appointed seven legal experts as amicus curiae (friend of the court) for legal interpretations in the case. They are Mahmudul Islam, Amir-Ul Islam, Rafique-ul Huq, Ajmalul Hossain, AHM Shamsuddin Chowdhury Manik, Abdul Wadud Bhuiyan and Shaheen Malik.

Abdur Razzak assisted by Belayet Hossain and Emran Siddique appeared for the petitioners while Attorney General Salauddin Ahmed and Deputy Attorney General Mozammel Huq stood for the government.

AL, JP

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January 22 last year.

Unlike the previous grand electoral alliance, the new alliance will not allow any fundamentalist parties to be a part of it and the allied parties will make efforts to bring other pro-liberation forces such as Communist Party of Bangladesh under one umbrella, the sources added.

This initiative, however, has its critics even within the AL-led 14-party alliance. A few parties in the alliance are presently at odds with each other on the nomination of Fazle Hossain Badsha in Rajshahi City Corporation polls.

Rashed Khan Menon, president of Workers Party of Bangladesh, told The Daily Star that JP chief HM Ershad and his party are not deemed to be pro-democratic and secular.

"The issue of including Ershad in the grand electoral alliance ahead of the stalled 11th parliamentary polls was not discussed with us and it wasn't discussed this time either," he said adding that the issues within the 14-party have to be resolved through discussions for a stronger alliance that would stand firm against the anti-liberation war forces.

Hasina upon completion of her visit to Finland and the UK has returned to USA yesterday.

At the meetings leaders of the AL and JP opted for leaving their options open and being prepared to take part in the upazila polls whenever necessary.

The parties however will continue mounting pressure on the government for lifting the emergency and holding the parliamentary polls before the upazila polls, said the sources.

In the meantime, the AL acting president categorically threatened to resist the local body polls under the state of emergency before holding the national elections.

A senior AL leader requesting not to be named said, "If the party does not take part in the polls, it would give rise to massive internal disputes that would be really difficult for the central leadership to control."

possible. While the RPO 1972 is being amended, the EC will begin the process for registering the political parties to ensure their financial transparency and practice of internal democracy.

The current EC, which was reconstituted on February 4 last year, disclosed the draft proposals for electoral reforms on April 5 last year and announced to finalise the draft in consultation with the political parties.

But it could not hold talks with the political parties since the caretaker government did not allow indoor politics until September 10 last year. After the government allowed indoor politics in the capital, the EC began holding talks with the parties from September 12.

It wrapped up the talks after holding the second round of dialogue this February and sent the draft proposals to the government in May to make them laws.

At the talks with the EC, major political parties opposed its move to repeal the existing RPO to clear the way for promulgating a new one and suggested amending the existing RPO.

At the meeting with the chief adviser at his office yesterday, the EC also informed him of its preparations for holding the upazila and parliamentary elections.

RPO won't be repealed

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caretaker government for approving the new ordinance.

Amid such a situation, Chief Adviser Fakhruddin Ahmed at a meeting with the EC yesterday morning disclosed the government's plan to bring necessary amendments to the RPO 1972, sources said.

"Since everyone wants amendment to the existing RPO instead of promulgation of a new one, we do not have any objection to it," Election Commissioner Muhammed Sohul Hussain, who met the chief adviser along with chief election commissioner, told reporters at his office.

The proposals drafted by the EC would be incorporated in the form of amendment, he said.

A huge task has to be done afresh to amend the RPO 1972.

All the electoral reform proposals along with the election rules and political parties' registration rules will have to be drafted in English since the RPO 2008 was drafted in Bangla.

Sohul Hussain, however, said the EC expects to complete the task of bringing amendment to the RPO 1972 within the next 10 days.

The law ministry has already started working and the EC officials will help it, if necessary, Sohul said, adding that the chief adviser assured the commission of completing the task as soon as

Indigenous people

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the forestland.

According to records, the government has established a firing range on 1,000 acres of land, proposed rubber plants on 10,872 acres and social forestry on 7,323 acres. On the other hand, 8,630 families live on 13,718 acres of land. Less than one-third has survived as the forest.

Ajay A Mri in his keynote paper said the Garo communities of Modhupur still hope the government would take measures to save the natural forests. He urged all to settle the land dispute issues with the indigenous people living in the villages of Modhupur.

Raja Devasish Roy said it is not possible to save forestland by filing cases against forest dwellers. The records say the more cases were filed the more the forest was destroyed, he added.

"So the Department of Forest has to bring in a total change in their attitude," said Raja Devasish Roy.

Pramod Mankin, a former lawmaker belonging to indigenous community, said the government always intends to conduct their development work on the land of the indigenous people.

"Now we, the indigenous people, have become a subject to research but we find no change in our fate," he said.

Dr Atiq Rahaman said saving forests by violating the rights of the people is no more a development concept.

Zafarullah

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year asking him to submit his wealth statement to it.

Meanwhile, another special court dealing with the Gatco corruption case against detained BNP Chairperson Khaleda Zia and 23 others set August 5 for submitting the certified copy of the High Court (HC) stay order.

Judge Shahed Noor Uddin of Special Court 3, set up on the Jatya Sangsad Bhaban premises, fixed the new date as both the prosecution and defence lawyers failed to submit the papers to the court yesterday.

On July 20, the court set yesterday for submitting it but both the sides told the court that they were yet to get the certified copy of the HC stay order. The judge fixed August 5 for submitting the papers after hearing both the sides.

Former premier Khaleda Zia was not produced before the court yesterday.

However, other accused including former agriculture minister MK Anwar and former industries minister Motiur Rahman Nazami, who were released on bail by the HC, were present at the court.

The ACC filed the case with Tejgaon Police Station against 24 people including Khaleda and her son Koko on September 2 last year on charges of corruption in awarding Gatco a contract for container handling at depots in Dhaka and Chittagong.

Hill people

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Following bamboo blossoming last year rats invaded many CHT areas and destroyed almost everything edible. This forced many indigenous people to leave their villages.

Talking to the people from Ruma Thanchi, Sungsangpara, Anandapara, Wykangpara, it was learnt that rats ate all their rice, ginger, maize, turmeric, peppers, pumpkins, oil seeds and cotton.

The government provided each family with 15kg rice while the UNDP and World Food Programme provided 30kg rice per family in the affected areas, the locals said.

But the aid exhausted within two months or just one month in the case of a bigger family, they said.

Mostly Bawm, Marma, Tripura and Murong communities live in these remote villages. These people generally grow everything they need and just have to buy kerosene and salt from the market.

Thiam Khub now works in the jhum and weaves. He said he can weave a "thurang" in two days and sell it for Tk 100 at Ruma Bazar, about eight hours' walk from his village. But with this amount he can hardly buy 3kgs of rice.

"I am having a very hard time because if I weave thurang, I cannot work on jhum," he said.

"We have already sold most of the cattle in our village to buy rice. Many of us now have